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Buffalo police arraigned for felony assault of elderly protestor

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Body

BUFFALO - Two Buffalo police officers were arraigned on felony assault charges on Saturday after a viral video now viewed by more than 78 million people showed them shoving an elderly protestor who fell at a march against racism.

Officers Aaron Torgalski and Robert McCabe were part of a unit in tactical gear enforcing an 8 p.m. curfew on Thursday when Martin Gugino, 75, was shoved, fell and struck his head on the sidewalk, the Buffalo News reported.

Both pleaded not guilty to second-degree assault during the virtual arraignment before Buffalo City Court Judge Craig D. Hannah, the Buffalo News reported.

Members of the Buffalo Police Department's Emergency Response Team, the officers have been suspended without pay and are being investigated after a local radio station released video of the incident involving Gugino, a longtime activist who has advocated for affordable housing, ***climate justice*** and police accountability. He reportedly remains in a hospital intensive care unit (ICU).

"I cannot confirm any details until an arraignment takes place," said Kait Munro, a spokeswoman for the Erie County District Attorney John Flynn.

The western New York state city saw pockets of looting after dark like many cities across the United States, where countless otherwise peaceful protests were staged in the wake of the death of George Floyd, a black man in police custody in Minneapolis on May 25.

The video shows Torgalski pushing Gugino before he fell and McCabe about to kneel toward the man sprawled on the sidewalk before being moved along by a supervisor, the Buffalo News reported. Police initially said the man tripped.

Buffalo Mayor Byron Brown said he has not asked for the officers to be fired.

"It is very important that the officers know they are getting due process," Brown said. "Our information was that individual was an agitator." (Additional reporting by Barbara Goldberg in Maplewood, New Jersey; Editing by Diane Craft) !@COPYRIGHT=© 2020 Postmedia Network Inc. All rights reserved.

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